

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

CASEY L. WARD,	)	
	)	
<i>Plaintiff,</i>	)	
	)	Case No. 1:24-CV-19
v.	)	
	)	Judge Curtis L. Collier
SHELBYVILLE POLICE DEPARTMENT	)	Magistrate Judge Susan K. Lee
<i>and</i> MICHAEL W. TAYLOR,	)	
	)	
<i>Defendants.</i>	)	

**ORDER**

On February 8, 2024, United States Magistrate Judge Susan K. Lee issued a report and recommendation (the “R&R”) screening Plaintiff’s complaint under 28 U.S.C. § 1915(e)(2). (Doc. 5.) The R&R recommends the Court dismiss Plaintiff’s claims under the Eighth and Fourteenth Amendments, dismiss Plaintiff’s claims against the Shelbyville Police Department and Michael W. Taylor in his official capacity, allow Plaintiff’s remaining claims against Michael W. Taylor in his individual capacity to proceed, and direct that service of process proceed. (*Id.* at 5.) Plaintiff has not filed any objection to the R&R within the time allowed by law. *See* Fed. R. Civ. P. 72(b)(2) (allowing fourteen days to file objections to proposed findings and recommendations); *see also* Fed. R. Civ. P. 6(d) (allowing three extra days after service by mail).

The Court accordingly hereby **ACCEPTS** and **ADOPTS** the Magistrate Judge’s findings of fact, conclusions of law, and recommendations (Doc. 5). Plaintiff’s claims under the Eighth and Fourteenth Amendments are **DISMISSED**. Plaintiff’s claims against the Shelbyville Police Department and Michael W. Taylor in his official capacity are also **DISMISSED**. This case will proceed only as to Plaintiff’s Fourth Amendment claim against Michael W. Taylor in his individual capacity (“Defendant Taylor”).

The Clerk of Court is **DIRECTED** to send Plaintiff a service packet (a blank summons and USM-285 form) for Defendant Taylor. Plaintiff is **ORDERED** to complete the service packet and return it to the Clerk's Office within twenty-one (21) days of receipt of this Order. At that time, the summons will be signed and sealed by the Clerk and forwarded to the U.S. Marshal for service. Fed. R. Civ. P. 4. Service on Defendant Taylor shall be made pursuant to Rule 4(e) of the Federal Rules of Civil Procedure and Rule 4.04(1) and (10) of the Tennessee Rules of Civil Procedure, either by mail or personally if mail service is not effective. Plaintiff is **WARNED** that if he fails to timely return the completed service packet, this action will be dismissed.

Defendant Taylor shall answer or otherwise respond to the complaint within twenty-one (21) days from the date of service. If Defendant Taylor fails to timely respond to the complaint, it may result in entry of judgment by default against him.

Plaintiff is **ORDERED** to immediately inform the Court and Defendant Taylor's counsel of record of any address changes in writing. Pursuant to Local Rule 83.13, it is the duty of a *pro se* party to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. E.D. Tenn. L.R. 83.13. Failure to provide a correct address to this Court within fourteen (14) days of any change in address may result in the dismissal of this action.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**